

Advertisements, not exceeding a square in length, are inserted in this paper for seven-  
ten cents the first time; three dollars for  
three weeks (6 times); and for every addi-  
tional insertion, thirty-three cents. Long ones  
in the same proportion—unless a special con-  
tract be made by the year.

## A SCHOOL.

THE subscriber intends opening a SCHOOL  
at his plantation in Hanover county, about  
ten miles from Richmond, as early in the month  
of January, 1865, as he shall have the assurance  
of six scholars; and wishing to pay a particular  
attention to the improvements of the youth en-  
rolled in his care, will not undertake the instruc-  
tion of more than fifteen; which number he will  
be enabled to accommodate with board, &c.  
He purposes to teach the English Language  
grammatically; and in such wise as to de-  
velop the necessity for a knowledge of the dead  
languages; he will teach the practical branches of  
Mathematics and Geography. The most approved  
English authors will be read with a view to  
forming the taste, and applying the rules of gram-  
mar; the sense and scope of those authors; with  
the derivation, definition, and government of  
words will be explained. The ancient classics  
will be read in translations, whence the learner  
will become as familiarly acquainted with the  
customs, manners and mythology of the times  
when, and about which those authors treat, as if  
read in the original, and in a much shorter time.  
The price of tuition, board, lodgings and wash-  
ing, will be four pounds for each scholar per an-  
num, to be paid quarterly.

## JOHN SEABROOK.

Richardson, November 27th, 1864. wtf  
P. S. J. SEABROOK will be thankful to those  
persons disposed to encourage him by confiding  
pupils to his care, to give him as early information  
thereof as possible, that he may be enabled to  
make the necessary arrangements in time.

## NOTICE.

WILL positively be sold without reserve, to  
the highest bidder, the second Saturday in  
December next, on the premises,

## The Noted Tavern,

In the town of Manchester, formerly occupied by  
Mrs. Barbara Leach, belonging to the estate of  
Solomon Gordon, deceased. The terms of sale  
one fourth part in hand, the balance in two equal  
annual payments. A bond and security will be re-  
quired by the executor, who will give a sufficient  
deed for the above. JOHN BAKER, Exr.  
Manchester, 19th Nov. 1864. wtf

## HATS AND SHOES.

Gentlemen's New York  
and London manufac-  
tured black and drab  
Beavers, Castors and  
Hurons.  
Servants' glazed, Can-  
dles Hair and Wool  
dolls.  
Youths and infants do  
Children's Morocco  
Caps and Trimmings.  
Ladies' spangled, lace  
trimmed and plain  
white and coloured  
Kid Slips and Ties.  
Do Morocco do.  
Do Leather do.  
Misses' Kid and Moroc-  
co Slips.  
Children's morocco  
Shoes.  
Gentlemen's superfine  
shoes and pumps.  
Do Saddle Boots,  
For sale two doors above the Eagle, by  
JUDSON & BURR.

## ON CONSIGNMENT.

One Trunk Calicoes, Gills, and Silk and Cotton  
Shawls.  
Two tons best Country refined Bar Iron.  
29th November, 1864. wtf

## DOCTOR WILSON.

Has for sale, at his shop, opposite the Bell-Ta-  
vern, a small quantity of

## RED BARK,

Of a quality greatly superior to such as is gene-  
rally found in Richmond—Also, Jalap, Calomel,  
Rhubarb, Senega, Manilla, Gambia, Sassa, Castor  
Oil, Tamar, Emetic, Ipecacuanha, Opium, &c. &c.  
He designs to keep a constant & general supply  
of Medicines of the best quality that can be pro-  
cured.

Persons of needy circumstances by paying  
the common price of his medicines, will be pre-  
sented for gratis. Richmond, 1st Oct. 1864.

## FOR SALE.

## By Edward Hallam,

At his Grocery Store, opposite the Swan Tavern  
500 W. W. excellent Salt Pecked Bacon.  
Patent Shot, by the bag or 100.  
Madeira, Tenerife and Sherry Wines.  
Annis, Jamaica and New-England Rum.  
Cognac Brandy and Whiskey.  
Philadelphia Porter, by the bbl. 3 doz. each.  
Coffee by the bag—Molasses by the bbl.  
Lard & brown sugar—Hyson & Imperial Teas.  
9 and 10 and 12 Window Glass.  
Bar Iron, Irish Potatoes, &c.  
The above articles will be sold low for ready pay  
April 28, 1864. wtf

The subscriber has just received six thousand  
weight of first quality

## New-England Cheese,

Which he will dispose of on moderate terms.  
The subscribers have connected  
themselves in trade, and will transact business  
under the firm of

## ST. JOHN & GWATHMEY:

They occupy the house below Meers, Macmur-  
do & Fisher, and next to the Bell Tavern—they  
will generally be supplied with WEST-INDIA  
GOODS, and will always give the highest price  
in cash for COUNTRY PRODUCE.  
JOHN ST. JOHN.  
ROBERT GWATHMEY.  
They have now on hand,  
20 Hds. Muscovado Sugar.  
7 Bales India Cotton, assorted.  
Richmond, Nov. 14th, 1864. wtf

## Just Received at this Office,

## THE

## Literary Magazine,

For October, 1864.

## VIRGINIA:

At a Superior Court of Chancery,  
holden in Richmond, the 14th day of September,  
1864.

BETWEEN  
Charles F. Nash and Andrew Johnston,  
executors of John Nash, deceased,  
who was executor of John Nash, de-  
ceased, plaintiffs.

AND  
James, Robert and Thomas Donald and  
company and Joseph Michaux,  
defendants.

THE defendant James, Robert and Thomas  
Donald and company, not having entered  
their appearance and given security according to  
the act of assembly and the rules of this court;  
and it appearing to the satisfaction of the court  
that they are not inhabitants of this country: Up-  
on the motion of the plaintiffs by their counsel,  
It is ordered, that the said defendants do appear  
here on the first day of the next term and answer  
the bill of the plaintiffs; and that a copy of this  
order be forthwith inserted in some newspaper  
published in the city of Richmond for two months  
successively, and posted at the front door of the  
capitol in the said city.

A Copy—Teste,

PETER TINSLEY, c. c.

CHARLOTTE COURT, 6th August,  
1864.

Samuel A. Jackson and Mary his wife, for-  
merly Mary Greenhill, widow of Samuel  
Greenhill, Francis Jones and Catherine  
his wife, Thomas Worsham and Sally his  
wife, Edmund Wells guardian of Martha,  
David, Panchall, Samuel, Elizabeth, Mary  
and Philip Greenhill, infant children  
of Samuel Greenhill, dec. plaintiffs.

AGAINST  
John Davis, defendant.

THE defendant being served with a sub-  
poena and failing to file his answer to the plain-  
tiff's bill, being ruled so to do and still failing to  
file the same—The court on the motion of the  
plaintiffs by their attorney, doth take the bill for  
confessed—On consideration thereof and of the  
report of the commissioners made in this suit, and  
arguments by counsel on behalf of the plaintiffs,  
It is ordered and decreed, that the plaintiffs re-  
cover against the defendants one hundred and ninety-  
two pounds and their costs in this behalf ex-  
pended—unless the said defendant shall on or be-  
fore the first day of the next court after he shall  
have been served with a copy of this decree, shew  
cause to the contrary.—Plaintiffs' costs, 12 dol-  
lars and 77 cents.

Copy—Teste,

THOMAS READ, CLK.

## MONTAGUE COPE AUSTIN.

IN pursuance of a Decree of his Majesty's Court  
of Exchequer, dated the 31st day of July, 1864,  
made on the hearing of a certain cause there de-  
pendent, in which James Raven is plaintiff, and  
Daniel Sutton and others are defendants; where-  
by it is referred to Abel Moysey, Esq. the depu-  
ty to his Majesty's Remembrancer of the said  
court, to enquire whether Montague Cope Aus-  
tin in the pleadings of the said cause named  
(whose father was an attorney at Peterborough,  
in the county of Northampton, and who was  
born there, and went first to school with a cler-  
gyman of the name of Lloyd, at Islington in the  
county of Middlesex, and from thence was re-  
moved to the Charter House, and who in the year  
1776 or 1777, entered as a common sailor on  
board a merchant ship then lying in the river  
Thames and bound to the West-Indies, and who  
previous to his going to sea, when of the age of  
15 years or thereabouts, resided at Durham in  
the county of Durham, and who it is supposed  
resided about the year 1783 in the neighborhood  
of James river in America) is living or dead, and  
if dead whether or not he died under the age of  
21 years, and if he survived the age of 21 years,  
then in such case who is the said Montague Cope  
Austin's heir at law—Notice is hereby given,  
that the said Montague Cope Austin (if living)  
is peremptorily desired personally or by his sol-  
icitor, to appear on or before the 1st day of  
March next, before the said Abel Moysey, and  
identify himself, or to send such information  
whereby he may be traced and identified. And  
if the said Montague Cope Austin be dead, such  
person or persons as claim to be his heir at law,  
are desired to come in before the said Abel Moy-  
sey and prove the same, or to give information  
how they respectively make out and substantiate  
such claim; and any person or persons who can  
give information of the said Montague Cope  
Austin, being living, or of his having so died,  
and whether or not he attained his age of  
21 years, and if he attained such age, who is or  
are his heir at law, are requested to give notice  
thereof to the said Abel Moysey, at his Chambers  
in the Exchequer Office, in the Inner Temple,  
London.

If the above Montague Cope Austin (if living,  
or if dead his heir at law) will apply to the sub-  
scribers, he may get further information on the  
above subject, as also hear of something to his  
advantage.

THOMAS & AMOS LADD.

Richmond, Nov. 10, 1864. wtf

## WHEAT FAN & WOVEN WIRE

MANUFACTORY,  
No. 7, Bridge-street, four doors north of Griffith's  
Bridge, Baltimore.

WHERE are made and sold, WHEAT  
FANS, first quality; ROLLING and other  
SCREENS, for wheat, barley, flax-seed, &c.;  
HAND RIDDLES and SIFTS, for coal,  
corn, barley, wheat, rye, oats, meal, brick dust,  
flax seed, clover seed, cockle, lime sand, &c.;  
SHAKES for Indian meal; WIRE SIFTS;  
WOVEN WIRE for windows, &c. &c.  
(Formerly WEST & SMITH.)

N. B. A good assortment on hand  
Any of the above articles will be delivered in  
Richmond, (on short notice) at the same prices  
as at the manufactory (exclusive of freight) on  
the orders being left with  
SAMUEL PARSONS & SON,  
Near the Basin, of whom the prices may be  
known—who have on hand, Wheat Fans,  
Wheat and Lime Sieves, and Meal Sieves, &c. of  
a superior quality  
11th Mo. 1st, 1864. wtf

## BLANK BONDS

For sale at this office.

## TO RENT,

And may be entered upon the first day of Decem-  
ber next.

## A Tenement and Lot,

At Charlotte Court-house, consisting of a good  
store-house and counting room, a lumber-house,  
and a small two story dwelling-house, all nearly  
new; a stable with some necessary out-houses—  
The high commanding situation of this place gives  
it a salubrious air, which makes it healthy indeed;  
the prospect is handsome, and the water is su-  
perior to none in this part of the country; an agree-  
able neighborhood, and the inhabitants wealthy;  
the site remarkable for the advantages of its lo-  
cal situation, standing on one of the most public  
high roads, leading direct from the northern to  
the southern states, and to the market towns of  
Richmond and Petersburg; a considerable part of  
the country trade centering at this place. To any  
gentleman in the mercantile line, wanting a  
pleasant and agreeable residence for his family,  
and an advantageous situation for active business,  
wishing to rent, may know the terms on applica-  
tion to the subscriber, living near Charlotte court  
house  
THOMAS READ.

22d September, 1864. wtf

## Congressional Register.

HOUSE OF REPRESENTATIVES.

Tuesday, November 27, 1864.

Debate on the bill for the more effectual  
preservation of peace in the ports and  
harbors of the United States and in the  
waters under their jurisdiction.

(Continued.)

Mr. Dana thought the embarrassment  
might be attributed to an attempt to com-  
bine in one section two different species of  
crime, but it was exposed to objections  
which had not yet been made. The clause  
gives the marshal or sheriff the power to  
arrest the offender by force of arms, and  
then if the person resisting kill your officer  
it is murder, and shall be punished ac-  
cordingly. If, however, your officer and  
his armed force kill any of the offenders  
resisting, your process for it stands; if  
death ensues on either side, those who are  
concerned in support of the civil authority  
shall be justified—but those engaged in  
resisting shall be shot, or if not shot, and  
they are taken alive, then they shall  
be fined and imprisoned for manslaughter  
committed upon their party. He did not  
think the amendment proposed, take  
which you will, fit them, likely to remove  
the difficulty.

Mr. Nicholson said the case they were  
about to provide for was different from any  
other that could arise in civil society.  
It was devising a punishment for persons  
who were armed with a species of power  
to resist a legalised force under their com-  
mand, and though they are bound to submit  
to our laws yet they have others under  
their command who are bound to submit  
to them—An offender seeks protection  
from the effects of our offended laws  
on board an armed ship; he is sought by  
our officers, and the commanding officer  
regardless of his proper duty orders his  
sailors to defend themselves by resisting  
the process; in the struggle death ensues;  
now let it be asked are those seamen guilty  
of murder or manslaughter—The ser-  
vant of a person invested with authority  
equal to that of a British officer and di-  
rected to do an illegal act, to kill a man  
for example, though it would be murder  
in the officer, yet it would be no more  
than manslaughter in the servant—The  
case is the same as it relates to the officer  
and crew; though the latter are not just-  
ified to do the act, yet they do not feel  
themselves justified to disobey their com-  
mander. When he was up before he had  
not clearly expressed himself for want of  
attending to the bearing of the whole bill.  
In England every man's house was his  
castle; no officer was authorised to break  
a house open except in cases of treason or  
felony, an officer attempting it might be  
killed, and it would amount only to man-  
slaughter. The attempt here to take a  
man from on board an armed ship might  
be considered as attempting to break open  
a castle, and if death ensued it would be  
manslaughter—The bill however author-  
ised the force, and cases might exist, in  
which the killing would be murder—other  
cases where the killing would be man-  
slaughter only.

Mr. Nelson objected to Mr. Early's am-  
endment; because it left the determina-  
tion of the crime to the judge or jury, and  
how could they determine whether it was  
murder or manslaughter, but by the com-  
mon law, as the United States had never  
yet defined either—if the case was defined  
and left to go to a jury upon the mat-  
ter of fact, the objection would be in some  
degree obviated.

Mr. Nicholson was sorry to see such a  
discussion had taken place—He would,  
in order to remove the difficulty, strike  
out all that relates to the punishment, and  
leave them to be dealt with according to  
law, when delivered over to the civil  
authority.

ish the others as murderers—The sheriff  
has only to order his men to fire and shoot  
some; then, for these deaths, you hang  
the rest—This is making short work, and  
giving no quarter. The other objection  
was on the ground of the constitution—  
He did not see that Congress had power to  
punish crimes committed against a state,  
or in its ports or harbors. The constitution  
expressly gave Congress power to define  
and punish crimes and piracies committed  
on the high seas; but not within a state's  
limits.

Mr. Smilie observed a great deal of  
embarrassment had taken place on word-  
ing the section; that however was not to  
be wondered at, as the bill had only just  
been distributed; but the last objection,  
that it was unconstitutional, deserved very  
serious reflection; he should therefore  
move the committee to rise, with a view  
of giving time for consideration.

Mr. Nicholson had no objection to the  
committee rising; but he would not have  
it understood that he had any constitu-  
tional difficulties to struggle with. Congress  
had powers sufficient to enforce their re-  
venue laws, and this very bill contemplates  
that, as one circumstance that may occur,  
and ought to be corrected—But whence  
did the gentleman (Mr. R. Griswold) ac-  
quire this timidity, this care for state  
rights? It is believed they have not stood  
in his way on former occasions any more  
than they did in the way of those with  
whom he acted. In the case of the sedi-  
tion bill, which trench upon the state  
courts' jurisdiction, there was no squeam-  
ishness, the end justifying the means.

The committee rose, reported progress,  
and obtained leave to sit again.

Mr. J. Randolph called for the order of  
the day on the report of the committee of  
ways and means, respecting the remissi-  
on of duties on books imported for the use  
of colleges and seminaries of learning—  
the resolution declaring it to be inexpedient  
to allow the same.

The house taking the subject into con-  
sideration.  
Mr. J. Randolph observed that the con-  
stitution of the United States was a grant  
of limited powers for general objects,  
which congress had no right to exceed, al-  
though they might think the powers too  
limited. This position he considered as of  
primary importance. Its leading feature  
was an abhorrence of exclusive privi-  
leges; it might be called the key of that  
instrument; every thing which rose up in  
the shape of privilege was repressed in a  
peculiar manner, whether it related to  
order or classes of men. Whenever they  
have touched the doctrine of privilege the  
framers of that instrument, and the peo-  
ple of the United States adopting it, have  
been careful that nothing should be got  
by inference or construction.—The privi-  
leges of the house even, have been pre-  
cisely defined, and nothing is left for its  
extension, whatever may be the wishes  
or disposition of the members. The prin-  
ciple that this constitution is but a limited  
grant of power occurs, if not directly,  
yet frequently and effectually, so that it  
cannot be mistaken. On the privilege  
asked for, to permit colleges and univer-  
sities to import their books free of impost,  
we refer to the 8th section of the first ar-  
ticle, where it is declared that congress  
shall have power to levy and collect taxes,  
duties, imposts and excises; but all duties,  
imposts and excises, shall be uniform  
throughout the United States. The im-  
post shall be uniform. It is a lamentable  
fact, but nevertheless it is a fact, and can-  
not be too much dwelt and insisted upon,  
nor too well known, that the ambiguity of  
language gives our constitution that char-  
acter which leaves it in the power of civi-  
lians to say it means any thing or nothing.  
Whatever may have been said on other  
points; I think in this instance the lan-  
guage is so definite that it cannot possibly  
be mistaken. They shall be uniform,  
that is to say, there shall be but one quan-  
tum, one mode of collecting, and one man-  
ner; there shall not be two measures to  
measure with. If congress undertake to ex-  
empt one class of people from the pay-  
ment of the impost they may exempt o-  
thers also. If they begin with colleges &  
universities for the advancement of learn-  
ing, surely they may go on to exempt the  
clergy and congregation for the advance-  
ment of religion; they may exempt their  
own members; indeed it cannot be seen  
where they are to stop, having once over-  
leaped the constitutional barrier and en-  
tered on the wide field of privilege. The  
duties must be uniform! no body can be  
exempted, the President, if he chooses to  
import books, must pay the duty as well  
as any private citizen. In this country we  
have no privileged class, all must face alike,  
every man must bend to the law, and the  
tax must be uniform whether on land or  
books.

Perhaps it may be said that the practice  
under the constitution has decided against  
my construction; for philosophical ap-  
paratus is exempted from duty when im-  
ported for the benefit of seminaries of learn-  
ing. I agree that philosophical apparatus

is exempted by law; but I believe that  
law to be an unconstitutional law, as well  
as some others passed by former Con-  
gresses. But I do not wish to cast an o-  
dium upon its framers, more than they de-  
serve; it might have passed through im-  
advertence or want of reflection, nay it  
might have been the result of pure mo-  
tives, the advancement of science and lit-  
erature. Yet to shew how intent the con-  
stitution is to guard against powers drawn  
by construction even on this very subject,  
which it must have been solicitous to have  
extended, it has limited the efforts of con-  
gress to promote literature and the useful  
arts by any other means than that of grant-  
ing to authors and discoverers the exclu-  
sive use of their inventions, and publish-  
ing their works—And congress have no  
power to promote the advancement of sci-  
ence or literature in any other than this  
particular way. If these observations are  
not received as reasons for the report of  
the committee, they will be considered as  
the justification of one of its members.

Mr. Findley observed, that in addition  
to the constitutional objections urged, he  
had others on the ground of expediency.  
The country colleges and seminaries,  
whose funds were small had seldom or  
never an opportunity of importing books;  
they were happy to receive them in the  
country as donations, or by cheap edi-  
tions; they would therefore receive no cor-  
responding accommodation, and yet they  
were more useful and their use more uni-  
versally felt, than those called higher in-  
stitutions, which claim to be exempted  
from paying impost. There are only a  
few of the well endowed academies that  
can afford to procure foreign books, and  
when they have them, their circulation is  
extremely confined; to say nothing more,  
these reasons would engage me to support  
the resolution.

Mr. R. Griswold. The gentleman from  
Virginia (Mr. Randolph) must have mis-  
understood me when he supposed I ob-  
jected to the report because the commit-  
tee had assigned no reason for the resolu-  
tion—I mentioned the circumstance merely  
to shew that we ought not then to de-  
cide. With respect to the constitutional  
objection he has set up, I acknowledge it  
is new to me—Such an enquiry may be of  
great weight, but it does not appear so to  
me. The paragraph quoted from the 8th  
section of 1st article, that congress shall  
have power to levy and collect taxes, has  
never struck me in the way it has  
that gentleman. The words are, levy and  
collect taxes, duties, imposts and excises;  
but it drops the words taxes, it being set-  
tled in another part of the constitution,  
and declares that duties, imposts and ex-  
cises shall be uniform.—The one speaks of  
direct taxes, the other of indirect—mean-  
ing that if an indirect tax is laid it shall  
be uniform. No one state is to have an  
excise laid upon its inhabitants unless it  
extends to the citizens of every other.  
One part is not to be excised, and another  
excused. This has always been the con-  
struction of that section of the constitu-  
tion 'til the present moment, and I think  
it the true one. It is now said that con-  
gress can only promote science and litera-  
ture in one way. Why have not con-  
gress made grants of lands to promote  
these objects in the Western country?  
They have. I believe the power of con-  
gress adequate to promote literature in the  
way applied for, and it has been frequen-  
tly the case that even after duties have  
been paid into the treasury upon the uniform  
system, yet individuals have had those  
duties returned. I do not want to detain  
the house; but I am well persuaded that  
the constitution forms no impediment,  
and the expediency must be apparent.

Mr. J. Randolph believed the gentle-  
man last up had misunderstood him. But  
it was not very material whether he was  
misunderstood or not, as Mr. G. had not  
thought proper to answer him on the prin-  
ciple ground, namely the constitutional  
objection. He however said something.  
Duties, imposts and excises shall be uni-  
form. Can they be uniform when a particu-  
lar class or corporation are exempt from  
their payment? This is a new kind of uni-  
formity. It is a species of uniformity I  
do not understand. He asks, if you have  
not granted land and returned duties re-  
ceived into the treasury. Indubitably you  
have. And we have the power, and in  
some instances the right to give away the  
money in our treasury to objects we think  
deserving. Has not all the dispositions  
gone upon the question of particular hard-  
ship; but tell me, do these individual cases,  
resting upon their own merits, class  
with a wholesale disposal of public money?  
Suppose you want to raise up an  
exclusive privilege in favor of, let us say  
shootmakers, and let them import their ma-  
terials free of duty, will you bring up as  
precedent or authority, the case of Mr.  
Messier, or any other person? Can  
such a case, standing singular and insulated,  
be held up to promote the doctrine of  
exclusive privilege for a corps of thou-  
sands. Of lands the United States have  
given General La Fayette some acres;